

**UNITED STATES BANKRUPTCY COURT
EASTERN DISTRICT OF MICHIGAN
SOUTHERN DIVISION**

-----X	:	
In re	:	Chapter 9
	:	
CITY OF DETROIT, MICHIGAN,	:	Case No. 13-53846
	:	
Debtor.	:	Hon. Steven W. Rhodes
	:	
-----X	:	

**CITY OF DETROIT'S RESPONSE IN OPPOSITION
TO SYNCORA'S *EX PARTE* MOTION TO EXPEDITE
DEBTOR'S COUNTER-DESIGNATION OF THE RECORD**

1. Through the *Ex Parte* Motion of Syncora Guarantee Inc. and Syncora Capital Assurance Inc. to Expedite Debtor's Counter-Designation of the Record, filed August 27, 2014 (Docket No. 7088) (the "Ex Parte Motion"), Syncora Guarantee Inc. and Syncora Capital Assurance Inc. (together, "Syncora"), ask the Court to expedite the filing of the City of Detroit's (the "City") counter-designation of the record related to Syncora's Notice of Appeal From Order Denying Motion for Clarification of Post-Confirmation Procedures, filed August 26, 2014 (Docket No. 7080). The City's counter-designation of the record is currently due on September 9, 2014.

2. Pursuant to Rule 9006(c) of the Federal Rules of Bankruptcy Procedure, the Court may, for "cause shown," reduce the time for taking certain actions. Fed. R. Bankr. P. 9006(c). The City asserts that the Ex Parte Motion should be denied because Syncora has failed to demonstrate sufficient cause to expedite the filing of the City's counter-designation under Rule 8006 of the Federal Rules of Bankruptcy Procedure.

3. The justification for the relief sought in the Ex Parte Motion is indistinguishable from the justification for the relief that was denied by the order being appealed by Syncora. This Court denied the relief sought in Syncora's Motion for Clarification of Post-Confirmation Procedures, filed August 21, 2014 (Docket No. 6946), because consideration of the issue would be "entirely premature" at this time. See Order Denying Motion for Clarification of Post-Confirmation Procedures, filed on August 25, 2014 (Docket No. 7034).

4. Likewise, Syncora's Ex Parte Motion should be denied.

Dated: August 27, 2014

/s/ Heather Lennox
David G. Heiman (OH 0038271)
Heather Lennox (OH 0059649)
JONES DAY
North Point
901 Lakeside Avenue
Cleveland, Ohio 44114
Telephone: (216) 586-3939
Facsimile: (216) 579-0212
dgheiman@jonesday.com
hlennox@jonesday.com

Bruce Bennett (CA 105430)
JONES DAY
555 South Flower Street
Fiftieth Floor
Los Angeles, California 90071
Telephone: (213) 243-2382
Facsimile: (213) 243-2539
bbennett@jonesday.com

– and –

Robert S. Hertzberg (P30261)
Deborah Kovsky-Apap
PEPPER HAMILTON LLP
4000 Town Center
Suite 1800
Southfield, MI 48075
Telephone: (248) 359-7300
Facsimile: (248) 359-7700
hertzbergr@pepperlaw.com
kovskyd@pepperlaw.com

Counsel for the City of Detroit, Michigan

CERTIFICATE OF SERVICE

I, Heather Lennox, hereby certify that the foregoing City Of Detroit's Response in Opposition to Syncora's *Ex Parte* Motion to Expedite Debtor's Counter-Designation of the Record was filed and served via the Court's electronic case filing and noticing system on this 27th day of August, 2014.

/s/ Heather Lennox